

BOARD OF SUPERVISORS

GILA COUNTY, ARIZONA

Date: August 9, 2005

JOSÉ M. SANCHEZ

Chairman

STEVEN L. BESICH

Clerk of the Board

TOMMIE C. MARTIN

Vice-Chairman

By: Marilyn Brewer
Deputy Clerk

SHIRLEY L. DAWSON

Member

Gila County Courthouse
Globe, Arizona

PRESENT: Jose M. Sanchez, Chairman; Tommie C. Martin, Vice-Chairman; Shirley L. Dawson, Member; Steven L. Besich, County Manager/Clerk; Marian Sheppard, Chief Deputy Clerk; and, Robert Standage, Deputy County Attorney.

The Gila County Board of Supervisors met in Regular Session at 10:00 a.m. this date. Dave Fletcher led the Pledge of Allegiance and Lyle Johnston of St. John's United Methodist Church delivered the Invocation.

At 10:06 a.m. a public hearing was held to adopt Resolution No. 05-08-05 approving Planning and Zoning Department Case No. Z-05-3, a request by Star Vale Terrace Homes, LLC to rezone tax parcel number 302-55-010 E, F and G, and a portion of tax parcel number 302-55-022L from Rural Residential to Transitional/Trailer District. Terry Smith, Deputy Director of the Community Development Division/Planning & Zoning Manager, stated that there are two issues (agenda items 2 and 3) before the Board in reference to the Star Vale Terrace Homes, LLC. He requested that the Board discuss both agenda items 2 and 3 together, but stated that there is a requirement that the Board vote on Resolution No. 05-08-06 amending Gila County's Comprehensive Plan (agenda item 3) before voting on Resolution No. 05-08-05 to approve the rezoning request (agenda item 2). Mr. Smith then proceeded to read the Staff Report on the rezoning request (agenda item 2). He stated that Star Vale

Terrace Homes will be a mobile home residential community with spaces for rent. The internal streets will be private, accessed by the existing driveway from State Route 260. Included will be a new water system capable of serving domestic and fire protection needs and a new wastewater collection/treatment system serving domestic flows. The properties are approximately 17.5 acres and located in Star Valley. The subject property is classified as Residential, 1 to 2 dwelling units per acre, under the Comprehensive Plan. The Plan will need to be amended to reflect the multi-functional Corridor District. The surrounding zoning and land use property to the north and east are zoned as Rural Residential and the property to the south and west are zoned Transitional Residential and Trailer District which is the same as the current application. On July 27, 2005, the Planning and Zoning Commission unanimously recommended approval of the rezoning request to the Board of Supervisors. Mr. Smith stated that of the 27 neighboring property owners living within 300 feet of the proposed project, his office received 8 objections. Mr. Smith advised the Board that by his calculations 30% of the property owners by number and 21% by area have filed letters of objections. Under A.R.S §11-289 because of the number of objections received, rezoning changes must be adopted by 3/4 vote of the Board of Supervisors, which with a 3-person Board would require the vote to be a unanimous decision. He advised the Board that the applicant, Mr. Arthur Ray Lyons, was present at the meeting. At this time, Chairman Sanchez called for public comment. The following residents of Star Valley and Payson requested to address the Board and were in favor of the rezoning change. Robert Barela advised that he would probably be the person most affected by the zoning change as his property would be surrounded on three sides by the project. Mr. Barela advised that Mr. Lyons developed a park next to this proposed project. Using that park as an example, the proposed project will be good for everyone involved as it will be a nice development with the inclusion of another access road and fire hydrants. Gary Hatch, Fire Chief of the Diamond Star Fire Department, stated that he

was present to represent the Fire Department's views, and it was not his intent to go against the wishes of the people. He stated that the 17 acres are attached to a wildlife subdivision and his Department has previously worked with Earl Chitwood on the roads there. There are currently no fire hydrants in this location. He stated that if this acreage had been developed as a subdivision, it would not have been approved. Mr. Lyons was advised by the Fire Department that a second access to the property would be required. The access gate will be a 6' chain link fence type gate to keep ATVs out of the area, and the only key to the gate will remain with the Fire Department. The owner will be required to put in a fire hydrant system and a 200,000 gallon water tank to provide for the fire hydrants as there is no other water source on that end of town. Mr. Lyons was also asked if he would put a fire hydrant outside the gate for residents within 1,000 feet of that area. Mr. Hatch concluded by stating that the Fire Department is in favor of the fire code improvements. Mr. Lyons is the owner and developer of Star Vale and with a partner is developing the Star Vale Terrace Homes. Mr. Lyons confirmed that he is installing a 200,000 gallon water reservoir tank, and he explained the type of fire hydrants, bio-filter system, and irrigation systems that will also be installed to conserve water. The land will be terraced and a geotechnical engineering study is being done at this time. These designs will be submitted to Gila County Planning and Zoning Department for review and approval. He stated that all of the homes will be manufactured homes with porches and grade set with the intent to make this the "nicest" 55+ retirement community in that area. Andy Romance with Mountain Standard stated he is the Engineering Consultant retained by Mr. Lyons, and he is the author of the concept plan for the zone change. He stated that if the zoning change is approved and the applicant is authorized to proceed with the engineering design, the design will include storm water drainage analysis, grading of the site, wastewater treatment, wastewater collection and disposal, water storage, water supply and a water distribution system. He offered to answer any questions. The following people residing in

the Star Valley/Payson area who spoke in opposition to the development were as follows: Darryl Tank, William E. Chitwood, C.C. Krehbiel, John Donahue, and Steven Salatti. Their concerns and objections included the following: an unsightly 200,000 gallon water tank approximately 20-30 feet high and 100 feet in diameter blocking owners' views; traffic increasing from 34 to 160 vehicles into this area where the roads are not adequate; increase in dust, exhaust and noise pollution; a six-foot chain link fence around the property; fears that this park will become a substandard park similar to an adjacent mobile home park; 60% of the residents residing within a 300' foot area are opposed to this development; declining real estate values; environmental impact as acreage is terrain of ponderosa pines, and most trees will be removed and other trees will not survive from root damage; issues of water consumption and the impact on the water table and surrounding wells, as well as no stipulation for current homeowners if they are forced to incur costs because of the need to drill deeper wells if there is a drastic water depth change; and, property setback lines. Supervisor Dawson inquired about the setback along the fence. Mr. Lyons stated that the setback in the concept plan is 20 feet because that is an accessible and realistic buffer strip that can provide density by planting trees in that area. Supervisor Dawson stated that she believes the record needs to reflect the letter from Mary Ann Kotelnicki, the owner of a large piece of property in that area, who feels the Star Vale Terrace Homes will be an asset to the community. Supervisor Dawson stated that she visited this area and, in her opinion, believes it will be a quality improvement to that area. Vice-Chairman Martin questioned if the water storage tank will be built up in the air. Mr. Lyons replied that this tank by design is 24 feet high by 48 feet wide and when filled with water will weigh approximately 1.5 million pounds. He will have to cut the location down 15-20 feet and with the chain link fence the tank will almost disappear below the fence. Vice-Chairman Martin also inquired if there will be privacy inserts in the chain link fence. Mr. Lyons stated that some of the fence will have vinyl inserts and other areas of the fence

will not have inserts to provide for better air flow and better views. Chairman Sanchez inquired as to the reason why the County can't keep this land under the current zoning. Mr. Smith stated that the current zoning is required to have a one-acre minimum and will have to be rezoned to allow for the increase in the number of mobile homes per acre. The Board reviewed the maps. Chairman Sanchez inquired about water issues. Mr. Smith replied that the domestic water has to be approved by the Arizona Department of Environmental Quality. He stated that the Arizona Department of Resources (ADWR) is not involved as these will be rental properties; ADWR is only involved with subdivisions and sales of property. Mr. Smith stated that Gila County does not have the minimum criteria for mobile home parks, only subdivisions and cannot require Mr. Lyons to install the water tank, but Mr. Lyons has agreed to do so. Mr. Hatch asked if he could respond to three issues that had been discussed. He stated that with this development, traffic would be exiting onto a paved highway. In reference to the fire code, his Department could work with the current homeowner's association; however, the cost of the fire hydrant system is over a quarter of a million dollars which would be cost prohibitive for the home owners. He also stated he is part of the Diamond Star Water Coalition and State requirements call for .4 gallons of water per unit, and with the 80 units this would be 32 gallons per minimum for well requirements. Mr. Salatti also added that these proposed dwellings will be rentals and will not be maintained like property owners would maintain them. Chairman Sanchez requested that Mr. Smith go over the calculations again in reference to the number of objections received. Mr. Smith explained the requirements to the Board. Chairman Sanchez then closed the public hearing for both agenda items 2 and 3. Mr. Smith stated that a public hearing is required for agenda item 3. Chairman Sanchez stated that he had combined the public hearing for both agenda items 2 and 3, but if there were any doubts, he called for comments from the public in reference to agenda item 3. None were offered. Chairman Sanchez then closed the public hearing for agenda

item 3. Upon motion by Supervisor Dawson to adopt Resolution No. 05-08-06 approving Planning and Zoning Department Case No. CPA-05-1, a request by Star Vale Terrace Homes, LLC to amend Gila County's Comprehensive Plan, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 05-08-06.

Chairman Sanchez called for a motion on agenda item 2. Upon motion by Supervisor Dawson to adopt Resolution No. 05-08-05, a request by Star Vale Terrace Homes, LLC to rezone tax parcel number 302-55-010 E, F and G, and a portion of tax parcel number 302-55-002L from Rural Residential to Transitional Residential/Trailer District, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 05-08-05. **(Copies of the Staff Reports and Resolutions are permanently on file in the Board of Supervisors' Office.)**

Steve Stratton, Public Works Division Director, requested authorization to advertise Call for Bids No. 061705-1 for the purchase of 120 tons of MC-800 chip seal oil. Mr. Stratton stated this item is self-explanatory as his department needs to purchase chip seal oil. His department is going through the process of advertising and accepting bids. Four locations have been designated. Mr. Stratton stated that the requested amount is not an exact amount but an estimate on his part with no minimum or maximum requirements in the bid. The ADOT (Arizona Department of Transportation) oil index will be utilized which makes it fair to the bidder and the purchaser. He advised that the index is checked for the price of oil the day of the bid; the index is checked again on the date of purchase and the price is adjusted accordingly. This will be a two-year contract. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously authorized advertising Call for Bids No. 061705-1.

Mr. Stratton, speaking on behalf of Steve Sanders, Deputy Director of the Public Works Division, requested the adoption of Resolution No. 05-08-03, which establishes a "no parking" area on Copper Street located in Claypool.

Mr. Stratton stated that a map was included in the Board packet which shows that a section of Copper Street is located off of Maple Street which is adjacent to Las Lomas School. This portion of Copper Street is used as a walkway by the students and is a very narrow area. It is proposed that no parking be allowed on the pavement on Copper Street for the safety of the children. There is adequate parking off street for the residents in the area. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 05-08-03. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

John Nelson, Deputy County Manager, requested the approval of an Addendum to Article 3.0, Capital Asset Policy – Capitalization, Depreciation and Useful Life, of Gila County's Procurement Policy and Procedures. Mr. Nelson stated that by governmental accounting standards, GASBE 34, all governments are required to adopt a formal capitalization useful life and depreciation policy for its capital assets. He stated that new to Gila County, as shown on Attachment A on Page 6, is the capitalization of infrastructure. In the past Gila County has not capitalized infrastructure which includes bridges, culverts, dirt roads, paved roads, and fencing, etc., even though it is a requirement of GASBE 34. Mr. Nelson proposed that those items be capitalized if they exceed a cost of \$10,000 or more and listed the number of years for depreciating those assets. He stated that another issue is the \$5,000 capitalization. On Page 1, No. B-1 of the Capitalization Policy, a separate policy is being set up for all equipment items that cost between \$1,000 and \$5,000. These items will not be capitalized but will be tagged and tracked through the system. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the Addendum to Article 3.0-Capital Asset Policy.

Vice-Chairman Martin made the motion that Consent Agenda items A-I be approved with the exception of item H, as she had a conflict with that item. The motion was seconded by Supervisor Dawson, and the Board unanimously

approved Consent Agenda items A-I, excluding item H. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board approved Consent Agenda item H by a 2-0 vote. Vice-Chairman Martin abstained from voting on Consent Agenda item H. The consent agenda items approved are as follows:

- A. Adopted Resolution No. 05-08-04 naming a new road in Tonto Basin to be called Tadpole Lane. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**
- B. Approved 3 Special Event Liquor License Applications submitted by the Lions Club of Globe, Arizona, Inc. to serve liquor at the following events: September 15, 2005 – County Fair; September 17, 2005 – County Fair; October 1-2, 2005 – County Horse Races; October 8-9, 2005 – County Horse Races; and, October 22, 2005 – NRA Dinner and Auction.
- C. Acknowledged the resignations of Larry Martin and Steve Plues from the Beaver Valley Fire District governing board of directors and the appointment of Richard L. Harpster to complete the term of Mr. Martin.
- D. Approved a change of dates locking in fixed prices for the Laundry Services Agreement that is between the Sheriff's Department and ARAMARK Correctional Services, Inc. The prices stated in the Agreement are firm for the period ending June 30, 2005. Unit prices for subsequent 12-month period ending June 30, 2006, and any subsequent 12-month extension(s) shall be re-determined prior to the beginning of each period.
- E. Approved the July 18, 2005, and July 19, 2005, BOS meeting minutes.
- F. Approved the July 2005 monthly departmental activity report submitted by the Globe Regional Constable.
- G. Approved the personnel reports/actions for the week of August 8, 2005.

August 8, 2005:

Departure from County Service:

- 1. Laborer – Constituent Services II – 08-12-05 – Constituent Services II Fund - David Hernandez – Hire 05-23-05 – Resigned to attend school

2. Tax Specialist/Cashier – Treasurer – 07-25-05 – General Fund -
Denise Hunnicut – Hire 07-25-05 – Declined position
3. Community Nutrition Worker – Health – 08-15-05 – Health Services
Fund - Julie Taylor – Hire 07-30-01 – Resigned – reason unknown
4. Legal Secretary – County Attorney – 08-12-05 – General Fund
Dawne Hayman – Hire 07-19-04 – Resigned – reason unknown
5. Juvenile Detention Officer – Probation – 07-31-05 – General Fund
Herman Kwik – Hire 10-02-02 – Resigned – leaving area

Hire to County Service:

6. Fairgrounds Caretaker – Fairgrounds – 08-15-05 – General Fund
Justus Byrne – replaces Glen Hassard
7. Tax Specialist/Cashier – Treasurer – 08-15-05 – General Fund
Tiffiney Sanchez – replaces Sherry Jiminez

Position Review:

8. Correct fund code – Laborer – Solid Waste Management – 08-09-05 –
Enterprise Fund – Robert Hall
9. Anniversary Date Increase – 07-25-05 – Shirley Lance
10. Anniversary Date Increase – 08-08-05 – Adrienne Rhodes, Kelly Riggs,
Leigh Ann Kenton, JoAnn Perea, Judith Michel
11. Merit Increase – Operator I – Solid Waste Management – 08-08-05 –
Enterprise Fund – Michael Ochoa

Request Permission to Post:

12. Community Nutrition Worker – Health Services – position vacated by
Julie Taylor

SHERIFF'S PERSONNEL ACTION ITEMS

Departure from County Service:

13. Detention Officer – Globe S.O. – 08-02-05 – General Fund -
Jeremy Roberts – Hire 02-28-05 – Failure to complete probationary
period

Position Review:

14. Anniversary Date Increase – 08-08-05 – Jared Arney, Robert River, David Tena, Teddy Weaver, Sue Henderson, Robert Craig Jones, Mark Guemes
- H. Approved a 2.5 percent anniversary increase for Jacque Griffin, Assistant County Manager/County Librarian, effective July 25, 2005.
- I. Approved the finance reports/demands/transfers for the week of August 8, 2005. (separate handout).

August 8, 2005:

\$880,701.30 was disbursed for County expenses by voucher numbers (first group) X146657 through X146720, X371359 through X371390, X371392 through X371418, and (second group) X146721 through X146744, X371420 through X371469, X371471 through X371574, and X371576 through X371654. There were no hand-issued warrants.

At this time each Board member and the Chief Administrator were presented the opportunity to give a brief summary of current events as allowed by A.R.S. §38-431.02(K).

There being no further business to come before the Board, Chairman Sanchez adjourned the meeting at 11:27 a.m.

Jose M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk